

Zeke Layman
P.O. Box 3662
Chico, California 95927
(530) 343-7068
zeke@powerpolitics.com

In Pro Per

FILED
ASHEVILLE, N.C.
MAY 26 2009
U.S. DISTRICT COURT
W. DIST. OF N.C.

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

1:08cv230

UNITED STATES OF AMERICA

Plaintiff,

Vs.

**3039.375 POUNDS OF COPPER
COINS, ET AL.,**

Defendants,

Zeke Layman,

Claimant

NOTICE OF NO REPLY BRIEF FILED

PLEASE TAKE NOTICE that the Claimant, Zeke Layman, has not received a response to his Motion to Dismiss served on April 25, 2009 and filed on April 27, 2009. Therefore, he is noticing this court and all other parties, that he will not be filing a Reply Brief.

Further, attached is a “[Proposed] Order” submitted and served on all parties.

Date: May 21, 2009

Respectfully submitted

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Plaintiff,

V_S.

**3039.375 POUNDS OF COPPER
COINS, ET AL.,**

Defendants.

Zeke Layman,

Claimant:

[PROPOSED] ORDER

THIS MATTER is before the court on Zeke Layman's Motion to Dismiss filed on April 27, 2009.

The Court finds no Response has been filed in Opposition to the Motion.

THEREFORE, the Motion to Dismiss is GRANTED, the property is ORDERED to be returned, and the Complaint and Cause of Action are hereby DISMISSED .

DATE:

Lacy H. Thornburg U.S. District Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing NOTICE OF NO REPLY BRIEF
FILED was mailed to

THOMAS R. ASCIK
Assistant United States Attorney
100 Otis Street
Asheville, North Carolina 28801

John Robert Seymour
Baucom Claytor BentonMorgan & Wood
P.O. Box 35246
Charlotte, NC 28235

on May 21, 2009.

Zeke Layman

P.O. Box 3422
Asheville, NC 28822

REG'D MAIL 2009 MAY 22

Federal District Court Clerk
101 Try Street
Asheville, North Carolina 28801

